



THE CITY OF SAN DIEGO

City of San Diego
Development Services
Division of Building and Safety
1222 First Avenue • MS-401
San Diego, CA 92101
(619) 446-5400

Building Newsletter 1-4A

Submitting Requests for Alternate Methods, Designs and Materials

Interpretations of State and Local Building Codes
2002 Municipal Code: Chapter 12, Article 9, Division 1
Revision Date: May 2005

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The San Diego Municipal Code authorizes the Building Official to consider on a case by case basis requests for the use of any alternate material, design, or construction method not specifically prescribed by the Building, Electrical, Plumbing, or Mechanical Regulations. Section §129.0109 "Use of Alternate Materials, Design, or Construction Methods" authorizes the Building Official to approve the use of any alternate material, design, or construction method if the Building Official determines that:

1. The proposed alternate material, design, or construction method would comply with the Building, Electrical, Plumbing, or Mechanical Regulations;
2. The proposed alternate material, design, or construction method is at least equivalent to the standards prescribed in the applicable regulation in terms of suitability, quality, strength, effectiveness, fire resistance, durability, safety, and sanitation; and
3. Sufficient evidence has been submitted to substantiate any claims that may be made regarding the use of any proposed alternate material, design, or construction method.

The details of any action granting approval of an alternate material, design, or construction method shall be entered into the file for the individual permit for which the issue applies.

I. Application

All requests for the use of alternate materials, designs, or construction methods must be submitted on application form DS-104. This form is available without charge from the Development Services Department, fourth floor, Development Services Center Building, 1222 First Avenue. Alternatively the form may be obtained via the Development Services home page on the worldwide web at www.sandiego.gov.

Applications must be typewritten and signed by the Building Owner or a Company officer if not owned by an individual. The project address, and when available the project number assigned by the Development Services Department must also be included. Additionally, contact information for the owner, designer and the contact name of the person submitting the application shall also be completed. The application must be signed by the building owner.

Where multiple issues exist, a separate application must be submitted for each issue. This will permit approval of certain items in the event it is necessary to

deny one or more of a series of issues.

Applications will be assigned to a senior staff member in the Building Development Review Division within 5 working days of receipt of the application. The assigned senior staff member will contact the applicant (contact person identified on the application) to confirm receipt of the application and commencement of the review, as well as the need for additional information if necessary.

II. Processing Time and Deadlines

Applications may be submitted for consideration at any time during the design process, as well as during the plan review or during the construction inspection process. Additionally, applications may be submitted for consideration prior to a formal submittal of the project for a preliminary review. There is no specific deadline for submittal of requests and all submittals will be reviewed on a first come first served basis.

Most applications will be processed within 4 to 5 weeks of the initial submittal date with a written response returned at the culmination of the review process. Where additional information will be necessary for the review, applicants will be contacted by the Plan Review Supervisor assigned to the case requesting additional information or clarification.

III. Rejection of Application

Applications that have not been thoroughly and clearly completed and applications that have not been submitted with the required fee will be rejected by the Senior Research Engineer. Additionally, applications that do not include sufficient documentation or necessary plans or analyses that substantiate claims of equivalence and compliance with the code intent will also be rejected. The application must be signed by the building owner.

IV. Fees

The review process will be commenced with an initial non-refundable payment of \$1,291.00 that must be submitted with all applications requesting action by the Building Official on a proposed use of alternate material, design, or construction method. Please refer to Information Bulletin 501 for more fee information. Checks shall be made out to City Treasurer.

Category 1. The minimum flat fee of \$1,291.00 is charged for issues of minimal complexity and which have been evaluated previously on other cases.

Category 2. The fee for cases involving more complex issues, or cases involving two issues, will be a

total flat fee of \$2,728.

Category 3. The fee for cases involving highly complex issues, or cases involving three or more issues, will be a fee of \$2,500. A supplemental hourly fee will be charged at a rate of \$144.00 per hour when deemed necessary due to the complexity of the issue or the nature of the submittal. This final fee category will require the establishment of a trust fund.

If the request requires Fire Marshal input or participation, then an additional "fire assist" fee will be charged in accordance with the fee schedule published in Information Bulletin 501 dated May 2004 (Table 501D Miscellaneous items).

Fees for items associated with the Fire Code or when the Fire Discipline has the lead fees will be as published in IB 501.

The fee category will be determined by the Senior Research Engineer at the time of submittal.

V. Request

The request portion of the application must contain a clear statement by the applicant of the issue which the Building Official is requested to address. The Section(s) of the applicable code or standard that is the subject of the appeal must be cited. The issue(s) may be an interpretation or application of a code provision or a finding on the equivalency to code requirements of an alternate material, design, or method of construction.

The word "code", as used in this building newsletter applies to:

- A. California Building Code Accessibility Regulations
- B. California Building Code
- C. California Fire Code
- D. California Mechanical Code
- E. California Plumbing Code
- F. California Electrical Code

VI. Justification

The Justification portion of the application must state the basis for the request and substantiate the claim of equivalency to code requirements for the proposed material, design, or construction method. The justification must be prepared by an licensed architect or engineer.

Additional information substantiating claims of equivalence such as code analyses, test reports, engineering analysis as well as other background information may be compiled in a report used as a part of the justification. Copies of documents, in part or in their entirety, referenced in the report that are not commonly available may need to be provided.

VII. Plan Submittal

Plans submitted in support of the request must clearly indicate the location, nature, extent, and details of the subject of the appeal. The submitted plans must also be of sufficient size to be suitable for filing and distribution and should be no larger than 11 by 17 inch inches size. Three copies will be required for the initial

review.

Where the issue(s) in question relates to the means of egress provisions, a complete means of egress plan shall be included with each request.

VIII. Approval or Denial of Request:

When approval is granted for a particular request, the applicant will be requested to supply 1 clean copy of all plans and reports used to substantiate the appeal for the permanent file.

The applicant is expected to incorporate into plans submitted for approval a brief description of the issue appealed in the application as well as the assigned case number.

Additionally, it is expected that plans submitted for approval by plan review staff will include all alternative features and items proposed in the request as well as any conditions required by the Building Official in granting his approval.

When approval of a request is denied by the Building Official, the applicant will be notified in writing with the reasons for the disapproval clearly outlined. Applicants wishing to appeal the decision of the Building Official may do so by applying for consideration by the Board of Building Appeals and Advisors. Please refer to Building Newsletter 1-4B as well as form DS-104A for additional information. A record of the disapproval will be maintained in records associated with project or applicable permit.

On a case by case basis, or where required by the applicable code, regulation or policy, the Building Official may choose to refer the application directly to the Board of Building Appeals and Advisors for consideration or ratification of the approval being granted.

IX. For Additional Information

Additional information regarding the process of requesting the use of alternate materials, designs, or construction methods or for submitting to the Board of Appeals process may be obtained by contacting the Division of Building and Safety - Research Engineering section staff at (619) 446-5092.